

EXAMINER'S AMENDMENT

Claims 1-9 and 22-26 are allowed.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert E. Goozner on 08 July 2009.

The application has been amended as follows:

The examiner's amendment to claim 1 is set forth on page 3 of this examiner's amendment.

The remaining claims in the claim list are set forth in the amendment filed 25 June 2009.

Amend claim 1 as follows:

1. (Currently amended) A method for making an emulsion (41) from at least two liquids, said liquids constituting a dispersed phase (40) and a dispersing phase (44), comprising:

forcing said dispersed phase (40) from a surrounding portion of a cylindrical porous body through ~~[[a]]~~ the cylindrical porous body (24) into the dispersing phase (44) within the inner hollow portion of the cylindrical porous body (24), wherein a mechanical excitation system (251) makes the porous body (24) vibrate by applying vibrations directly to said porous body (24), and the mechanical excitation system (251) acts in traction and in compression perpendicularly to an axis of the porous body (24) ~~[[, which is cylindrical]]~~.

Reasons for allowance

2. The following is an examiner's statement of reasons for allowance: the claimed methods for making emulsion are not disclosed or fairly suggested in the prior art. The examiner's amendment is merely made to make the claim read more clearly.

Iversen et al, US PG PUB 2009/00662407, is cited of interest but does not qualify as prior art. Furthermore, Iversen et al lacks an explicit recitation of applying vibrations directly to said porous body (24). Unilever PLC, WO 2004/030799 A1 is cited as interest but employs a different vibrating apparatus.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Metzmaier whose telephone number is (571) 272-1089. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David W. Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1796

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Daniel S. Metzmaier/
Primary Examiner, Art Unit 1796**

DSM